

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

**UNITED STATES CURRENCY IN
THE APPROXIMATE AMOUNT OF
\$69,700.00,**

Defendant.

Case No. 13-3168-CV-S-ODS

STIPULATION FOR COMPROMISE SETTLEMENT

The plaintiff, United States of America, by its attorneys, Tammy Dickinson, United States Attorney, and Assistant United States Attorney Cynthia J. Hyde, and the claimant, Lucas J. Taggart, by and through his attorney, Tom Carver, hereby stipulate and agree as follows:

1. On or about April 26, 2013, the United States filed a Complaint for Civil Forfeiture *in rem* against the defendant property, \$69,700.00. The Complaint alleges that the defendant property was used or intended to be used in exchange for controlled substances or represents proceeds of trafficking in controlled substances, or was used or intended to be used to facilitate a violation of Title II of the Controlled Substances Act, 21 U.S.C. § 801 *et seq.*, and is therefore subject to forfeiture to the United States pursuant to 21 U.S.C. § 881(a)(6).

2. On or about May 22, 2013, the claimant, Lucas J. Taggart, by and through his attorney, Tom Carver, filed a claim to the defendant property. On or about June 13, 2013, the claimant filed an answer to the amended complaint. The claimant represented that he was the sole owner of the defendant property.

3. No other claims and/or answers have been filed in this action, and pursuant to Rule G(5) of the Supplemental Rules of Certain Admiralty Maritime Claims, Federal Rules of Civil Procedure, the time for filing a claim and answer in this action has passed.

4. The parties hereby agree to settle and compromise this action on the terms set forth below.

5. The claimant hereby consents and agrees to the entry of a judgment of forfeiture on the Complaint for Civil Forfeiture *in rem* consistent with the following terms.

- A. The United States shall return to the claimant, \$5,000.00, by and through his attorney, Tom Carver, the sum of \$5,000.00 via a payment made through the United States Treasury. Claimant acknowledges that the Debt Collection Improvement Act of 1996, as codified at 31 U.S.C. §3716 and administered through the Treasury Offset Program (TOP), requires the United States Treasury to offset federal payments to collect certain delinquent debts owed by a payee to the United States, a United States agency, or a state, including delinquent child-support obligations enforced by the states. Accordingly, the claimant acknowledges that the amount to be returned to the claimant under this settlement agreement may be reduced by the amount of any such delinquent debt that the United States Treasury is required to collect through TOP.
- B. The claimant, Lucas J. Taggart, agrees that all right, title, and interest in the remaining defendant property, approximately \$64,700.00 in United States currency, shall be forfeited to and shall vest in the United States of America for disposition according to law.

6. Each party shall bear its own costs, attorney's fees, and expenses.

7. The claimant hereby waives any and all claims that he has or might have against the United States of America, the United States Department of Justice, the United States Marshal Service, the Drug Enforcement Administration or other seizing agency, the Kansas City, Missouri Police Department, and Kansas City, Kansas Police Department, and all agents,

officers, and employees thereof (hereinafter the "Released Parties"), relating to the seizure or forfeiture of the defendant property, including any claims for lost profits or interest.

8. The claimant agrees to hold the Released Parties harmless from any and all claims of third parties pertaining to the defendant property.

9. If any person or entity other than claimant makes a claim to the defendant property and such claim necessitates any further forfeiture proceedings regarding the defendant property, claimant agrees to cooperate fully with the United States in any such further forfeiture proceedings.

10. This stipulation contains the entire agreement between the claimant, Lucas J. Taggart, and the United States of America.

11. The Court shall retain jurisdiction in this cause for the purpose of enforcing the terms of this stipulation for compromise settlement.

7-14-14
Date

Cynthia J. Hyde
Cynthia J. Hyde
Assistant United States Attorney

7.11.14
~~7.11.14~~
Date

Tom Carver
Tom Carver
Attorney for Claimant

8/10/14
Date

Lucas J. Taggart
x Lucas J. Taggart
Claimant